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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,388	11/15/2001	Cuc Hong	PDNO10019661	3280

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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LIU, MING HUN

ART UNIT	PAPER NUMBER
2675	

DATE MAILED: 02/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/991,388

Applicant(s)

HONG, CUC

Examiner

Ming-Hun Liu

Art Unit

2675

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)     | Paper No(s)/Mail Date. ____   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____  | 6) <input type="checkbox"/> Other: ____                                     |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over US patent 5,572,399 to Shirato et al.

In reference to claim 1, Shirato exhibits in figure 4, a electronic display with disc storage capabilities. Details concerning the storage is found on column 3, lines 37-43 where Shirato describes that the display include at least on storage space, or a plurality of storage spaces that are stacked, an attribute that is synonymous with the applicant's invention. Shirato's invention also includes an electronic reading device to process the media accumulated in the storage area (column 2, lines 7-13).

Furthermore Shirato's invention includes an open/close display cover coupled to the storage housing. The functionality of Shirato's invention and the applicant's invention are identical, however the two embodiments differ slightly in implementation. As Shirato explains on column 2 lines 9-13, the problem that his invention sets out to solve is overcoming "the inconvenience of carrying a medium disk in a separate package" the same annoyance being tackled by the applicant. The difference between the two embodiments lies in the inclusion of the keyboard intermediary in Shirato's invention.

Shirato's invention could have been easily modified to resemble the applicant's invention by removing the keyboard.

As one skilled in the art understands, Shirato's invention is based on media storage for a highly versatile computing machine what requires a range of input values that a keyboard provides. A simpler computing machine can be simplified by removing the redundant keyboard, if a wide range of input values is not required.

3. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of US patent 5,109,354 to Yamashita et al and US Patent D446,809 to Parker.

In reference to claim 1, Yamashita describes it the abstract of the invention a foldable display device, with expandable storage area for media storage. From Yamashita's figure 1, it is apparent that the display is coupled to the storage housing and closes directly over the storage area. In viewing mode, the storage area is exposed. The data is communicated from the expansion card to the CPU (column 3, lines 19-22 and lines 28-30).

Yamashita's invention is nearly identical to the claimed invention however the intended use differs slightly from the applicant's invention. Namely, the applicant claims a photo album where the reference does not.

As demonstrated by parker, the concept of creating a device exclusively for the purpose of displaying picture is a not a novel idea.

Yamashita's invention could be easily modified to function as a photo album is the designated media supported image files. Currently Yamashita's invention does support images, however the exclusivity of the invention to only photos is not established in the disclosure.

One skilled in the art understands that the albums such as the one described in Yamashita can also be used to display digital images as digital images are also require organization and fast accessibility.

In reference to claim 2, it can be seen from figure 1 that the Yamashita includes a navigational pad for data manipulation.

In reference to claim 3, Yamashita teaches that data transmission is conducted between the expansion card and the main CPU (column 4, lines 47-49).

Claim 4, it is apparent from Yamashita's figure 1 and disclosure that the display (11) is coupled to the container and used to show images from the storage media.

In reference to claim 5, it can be seen from figure 1, that Yamashita teaches a container with several storage compartments to store the removable media.

In reference to claim 6, neither Yamashita nor Parker included a telephone communication system, coupled to the storage housing, that can be configured to be connectable to a telephone network to allow a user to telephonically communicate with others while viewing the digital image data displayed on the visual display screen.

However, from figure 5 of Parker, it can be seen that exterior data communication/transfer methods were anticipated in Parker's original design. Parker's invention includes a SCSI adapter and as one skilled in the art understands, SCSI adaptors can support a variety of communication devices. Communication devices as a telephone/modem connections are common feature in modern computer systems. Video game systems, PDAs and computers, all of which display graphics, commonly include telephone communication systems.

A modem could have been attached to the SCSI adaptor to communicate through the telephone line.

It would have been obvious to include such a system in order to share pictures, as it is shown that Parker included the versatility of a SCSI adaptor to integrate the numerous expandable communication technologies.

In reference to claim 7, it is apparent from figures 1, 16 and 17 that Yamashita's invention is foldable to several degrees. Figures 16 and 17 show the container in a closed/folded position where as figure 1 shows the invention in the opened/viewable position. Naturally the user may choose to view the display at any desired angle he/she chooses.

Claim 8 is rejected on the grounds presented in the rejection of claims 1, 2, 3 and 6.

In reference to claims 9 and 10, Yamashita clearly teaches that the display include touch panel technology with interface and buttons (column 4, lines 11-15 and figures 35 and 36).

Claim 11 is rejected largely on the argument presented in the rejection of claim 6. As Parker demonstrates in figure 5, the photo album can support exterior control devices such as the disclosed keyboard. The keyboard is a form of remote input device.

In reference to claim 12, it is shown in figure 1 that the storage compartments are sleeves hinged onto the rings provided in the container.

Claim 13 is rejected on the same ground as the rejection of claim 7.

Claim 14 is rejected on the grounds outlined in the rejection of claims 1 and 5.

Claim 15 is rejected on the same ground as the rejection of claim 2.

Claim 16 is rejected on the same ground as the rejection of claim 10.

Claim 17 is rejected on the same ground as the rejection of claim 11.

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Claim 18 is rejected on the same ground as the rejection of claim 5.

Claim 19 is rejected on the same ground as the rejection of claim 3.

Claim 20 is rejected on the same ground as the rejection of claim 6.

Claim 21 is rejected on the same ground as the rejection of claim 4.

Claim 22 is rejected on the same ground as the rejection of claim 7.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent Des. 338,455 to Suge: electronic binder.

US Patent 5,713,683 to Bergh et al.: expandable CD holders used in binders.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ming-Hun Liu whose telephone number is 703-305-8488. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Saras can be reached on 703-305-9720. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ming-Hun Liu

  
DENNIS-DOON CHOW  
PRIMARY EXAMINER